

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. 9004-2(c)

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Attorney for Darryl Hicks, Debtor(s)

In re:

Darryl Hicks, Debtor(s)

Case No.: 14-20905

Chapter 13

Judge: Hon. Vincent F. Papalia

Hearing Date: 9/15/2016 at 10:00

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

☒ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**

☐ **TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT**

The debtor in the above-captioned chapter 13 proceeding hereby objects to the following
(choose one):

1. ☒ Motion for Relief from the Automatic Stay filed
By CitiBank, NA, creditor,

A hearing has been scheduled for 9/15/2016, at 10:00am.

OR

☐ Motion to Dismiss filed by the Standing Chapter 13 Trustee.

A hearing has been scheduled for _____, at _____ m.

☐ Certification of Default filed by _____, creditor,

I am requesting a hearing be scheduled on this matter.

2. I am objecting to the above for the following reasons (**choose one**):

☐ Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support is attached hereto.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**): _____

☒ Other (**explain your answer**): The Debtor was under the impression he had enrolled in Automatic Payment Withdrawals. However, when he checked his account after the Motion was filed, he realized that the payments had not been withdrawn. The Debtor has remitted payment in the amount of \$10,449.69 to the Attorney Trust Account of Kirsten B. Ennis to be turned over to CitiBank, NA upon resolution of the Motion.

3. This certification is being made in an effort to resolve the issues raised by the creditor in its motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: 9/7/2016

/s/ Darryl Hicks
Debtor's Signature

Date: _____

Debtor's Signature

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within fourteen (14) days of the filing of a *Creditor's Certification of Default*.